

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MEHMET EMIN TATAS,

Plaintiff,

– against –

ALI BABA'S TERRACE, INC., ALI RIZA
DOGAN, SENOL BAKIR, and TOLGAHAN
SUBAKAN,

Defendants.

ORDER

19 Civ. 10595 (ER)

Ramos, D.J.:

The Court is in receipt of Defendant Dogan's request to voluntarily withdraw his counterclaims two and three with prejudice. The Court agrees with Defendant that such withdrawal would benefit both parties and narrow the claims in this case. *See Fed. R. Civ. P. 41(a)(2) (providing that when dismissal as of right is not available, claims may be dismissed “on terms that the court considers proper.”); see also Steele v. Bell, No. 11 Civ. 09343 (RA), 2012 WL 664191, at *1 (S.D.N.Y. Dec. 19, 2012) (noting that “Rule 41(a)(2) applies equally to the dismissal of a defendant’s counterclaims where a plaintiff has served an answer to those counterclaims.”) (citation omitted).*

Dogan's request to withdraw counterclaims two and three is therefore GRANTED.

IT IS SO ORDERED.

Dated: November 12, 2020
New York, New York



Edgardo Ramos, U.S.D.J.